

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
April 6, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 105, Commending the Central Park Lions Club of San Antonio for an outstanding record of service to San Antonio and to the State.

H. B. No. 926, A bill to be entitled "An Act relating to the establishment of the Nueces County Juvenile Board and the juvenile probation department; maintaining in office those persons serving as juvenile officers on the effective date of this Act; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Welcome and Congratulatory Resolutions**

S. R. No. 904—By Senators Creighton and Herring: Extending best wishes to Mr. and Mrs. Jerry Craft and their son, Clint Creighton Craft.

S. R. No. 905—By Senator Hall: Extending congratulations to Robert Taylor on his birthday.

S. R. No. 906—By Senator Mauzy: Designating Paul Keinarth as honorary page.

S. R. No. 907—By Senator Watson: Extending welcome to Honorable Bob Thomas.

S. R. No. 908—By Senator Kothmann: Extending welcome to teachers from Harlandale Independent School District.

S. R. No. 909—By Senator Watson: Extending welcome to Fred Punchard.

S. R. No. 910—By Senator Snelson: Extending welcome to Girl Scout Troop No. 138 of Midland, with sponsors.

S. R. No. 911—By Senator McKool: Extending welcome to Nancy and Gene Blackmore.

S. R. No. 912—By Senator McKool: Extending welcome to Julie Bryan and Betty Hejl.

S. R. No. 913—By Senator Watson: Extending welcome to Mr. and Mrs. Bill Punchard, et al.

**Adjournment**

On motion of Senator Herring the Senate at 1:50 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

**APPENDIX****Sent to Governor  
April 6, 1971**

S. B. No. 108  
S. B. No. 235  
S. B. No. 278  
S. B. No. 318  
S. B. No. 373.  
S. B. No. 319  
S. C. R. No. 31  
S. C. R. No. 59

**FIFTY-SECOND DAY**

(Wednesday, April 7, 1971)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

Absent—Excused

Bridges	Wilson
Connally	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Connally was granted leave of absence for today on account of important business on motion of Senator Blanchard.

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator McKool.

Senator Bridges was granted leave of absence for today on account of important business on motion of Senator McKool.

#### Reports of Standing Committees

Senator Snelson submitted the following reports for the Committee on Oil and Gas:

S. B. No. 837 (Amended).

S. B. No. 514.

S. B. No. 279.

Senator Herring submitted the following reports for the Committee on Jurisprudence:

S. B. No. 507.

S. B. No. 711.

S. B. No. 144.

S. B. No. 143.

S. B. No. 831.

S. B. No. 355.

S. B. No. 199 (Amended).

S. B. No. 508.

Senator Mauzy submitted the following reports for the Committee on Education:

S. B. No. 469.

S. B. No. 292.

S. B. No. 296.

S. B. No. 298.

S. B. No. 299.

S. B. No. 300.

S. B. No. 121.

S. B. No. 394.

S. B. No. 561.

S. B. No. 295 (Amended).

S. B. No. 293.

S. B. No. 294.

Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 955.

Senator Moore submitted the following reports for the Committee on State Affairs:

S. B. No. 337 (Amended).

S. B. No. 304 (Amended).

Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

S. B. No. 518.

S. B. No. 541.

S. B. No. 236.

S. B. No. 634.

S. B. No. 635.

S. B. No. 680.

S. B. No. 828.

S. B. No. 887.

H. B. No. 146.

H. B. No. 302.

H. B. No. 524.

S. B. No. 580.

S. B. No. 621.

S. B. No. 694.

H. B. No. 384 (Amended).

C. S. H. B. No. 18 (Read first time).

C. S. S. B. No. 366 (Read first time).

S. B. No. 213.

Senator Jordan submitted the following reports for the Committee on Labor and Management Relations:

S. B. No. 687.

S. B. No. 750.

S. B. No. 751.

C. S. S. B. No. 320 (Read first time).

Senator Kennard submitted the following reports for the Committee on Public Health:

S. B. No. 712.

S. B. No. 543.

S. B. No. 534.

C. S. S. B. No. 811 (Read first time).

H. B. No. 63.

S. B. No. 362.

S. B. No. 601.

#### Senate Bills on First Reading

Senator Brooks moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills, the provisions of which were explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

Absent—Excused

Bridges	Wilson
Connally	

The following bills were then introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 912, A bill to be entitled "An Act amending Chapter V, Article 9a, of the Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943, as amended by Section 5 of Chapter 81, Acts of the 58th Legislature, Regular Session, 1963, authorizing stockholders and employees of

state banks, national banks or private banks to take acknowledgments of instruments in which such banks are interested; validating all such acknowledgments heretofore taken; and declaring an emergency."

To Committee on Banking.

By Senator Brooks:

S. B. No. 913, A bill to be entitled "An Act defining the word 'premise' in connection with the sale of alcoholic beverages; providing for qualifications of permittees, amending Subsection 7, Section 3-a, Article I, Texas Liquor Control Act, as amended (Article 66-3a(7), Vernon's Texas Penal Code); amending Section 18, Article I, Texas Liquor Control Act, as amended (Article 66-18, Vernon's Texas Penal Code); repealing Section 16A, Chapter 38, Acts 1969, 61st Legislature, Regular Session, and declaring an emergency."

To Committee on Jurisprudence.

#### Message From the House

Hall of the House of Representatives,  
Austin, Texas,  
April 7, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 27.

Conferees: Clayton, Chairman; Lombardino, Neugent of Galveston, Williams, Cavness.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 156, To Committee on State Affairs.

H. B. No. 188, To Committee on State Affairs.

H. B. No. 266, To Committee on State Affairs.

H. B. No. 423, To Committee on State Affairs.

H. B. No. 926, To Committee on County, District and Urban Affairs.

H. B. No. 1041, To Committee on Public Health.

#### Senate Resolution 926

Senator Brooks offered the following resolution:

Whereas, On April 8, 1928, Senator James P. Wallace was born in Sidon, Arkansas; and

Whereas, Tomorrow marks the 43rd anniversary of Senator Wallace's birth; and

Whereas, Senator Wallace overcame the disadvantage of birth outside the boundaries of the Great State of Texas to be elected to the Texas Senate from the Sixth Senatorial District; and

Whereas, In his brief period of service Senator Wallace has distinguished himself as an able, imaginative and progressive representative of his district; and

Whereas, Senator Wallace serves as the moral leader of the "Senate Jogging Club" and carried their banner in the Master's Mile in the 1971 Texas Relays; and

Whereas, The Texas Senate is fortunate in having the benefit of Senator Wallace's service, leadership and friendship; now, therefore be it

Resolved, That the Texas Senate extend its congratulations and best wishes to Senator James P. Wallace on the occasion of his 43rd birthday.

**BROOKS  
JORDAN**

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Watson, Wilson and Word.

The resolution was read.

On motion of Senator Jordan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Brooks the resolution was adopted.

#### Senate Resolution 932

Senator Patman offered the following resolution:

S. R. No. 932, Providing for the creation of a "Special Senate Committee on Disease Prevention by Immunization," effective immediately.

**PATMAN  
BROOKS  
SHERMAN  
SCHWARTZ  
BERNAL**

The resolution was read and was adopted.

#### Co-Author of Senate Bill 828

On motion of Senator Snelson and by unanimous consent, Senator Herring will be shown as Co-author of S. B. No. 828.

#### Senate Resolution 819 on Second Reading

Senator Kennard asked unanimous consent to suspend the regular order of business and take up S. R. No. 819 for consideration at this time.

There was objection.

Senator Kennard then moved to suspend the regular order of business and take up S. R. No. 819 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Kothmann
Bates	Mauzy
Beckworth	McKool
Bernal	Moore
Blanchard	Ratliff
Brooks	Schwartz
Christie	Sherman
Creighton	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Word
Kennard	

#### Nays—5

Grover	Harris
Hall	Patman
Harrington	

#### Absent—Excused

Bridges	Wilson
Connally	

The President Pro Tempore laid before the Senate:

S. R. No. 819 (the resolution having been read on Tuesday, March 30, 1971).

Question—Shall S. R. No. 819 be adopted?

The resolution was adopted by the following vote:

Yeas—23

Aikin	Kothmann
Bates	Mauzy
Beckworth	McKool
Bernal	Moore
Blanchard	Ratliff
Brooks	Schwartz
Christie	Sherman
Creighton	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Word
Kennard	

Nays—5

Grover	Harris
Hall	Patman
Harrington	

Absent—Excused

Bridges	Wilson
Connally	

#### Senate Bill 258 Re-Referred

Senator McKool asked unanimous consent that S. B. No. 258 be withdrawn from the Committee on Jurisprudence and re-referred to the Committee on County, District and Urban Affairs.

There was objection.

Senator McKool then moved that S. B. No. 258 be withdrawn from the Committee on Jurisprudence and re-referred to the Committee on County, District and Urban Affairs.

The motion prevailed by the following vote:

Yeas—20

Aikin	Herring
Bates	Hightower
Beckworth	Kothmann
Bernal	Mauzy
Christie	McKool
Creighton	Patman
Hall	Ratliff
Harrington	Schwartz

Sherman	Watson
Snelson	Word

Nays—6

Grover	Kennard
Harris	Moore
Jordan	Wallace

Present—Not Voting

Brooks

Absent

Blanchard

Absent—Excused

Bridges	Wilson
Connally	

#### Committee Substitute House Bill 113 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 113, A bill to be entitled "An Act relating to the protection of persons who file a claim or hire an attorney or aid in filing a claim or testify at hearings concerning a claim under the Texas Workmen's Compensation Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### Committee Substitute House Bill 113 on Third Reading

Senator Wallace moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 113 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Brooks	McKool
Christie	Moore
Creighton	Patman
Hall	Ratliff
Harrington	Schwartz
Harris	Sherman
Herring	Snelson

Wallace Word  
Watson

Nays—1

Grover

Absent—Excused

Bridges Wilson  
Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word
Jordan	

Nays—1

Grover

Absent—Excused

Bridges Wilson  
Connally

#### House Bill 971 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 971, A bill to be entitled "An Act ratifying, confirming, approving and validating the creation of City of Cities Municipal Utility District, the appointment or election of directors, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 971 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 971 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

Absent—Excused

Bridges Wilson  
Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

Absent—Excused

Bridges Wilson  
Connally

#### House Concurrent Resolution 33 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 33, Memorializing Congress to clarify and maintain consistency in welfare legislation, positions and requirements.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted.

#### House Concurrent Resolution 30 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 30, Memorializing Congress concerning regulations for tankers navigating in the coastal waters of the United States.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Bill 232 on Second Reading

The President Pro Tempore laid before the Senate as unfinished business:

S. B. No. 232 (the bill having been read second time on Tuesday, April 6, 1971).

Question—Shall S. B. No. 232 be passed to engrossment?

The bill was passed to engrossment.

#### Senate Bill 232 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 232 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Ratliff
Creighton	Sherman
Grover	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

#### Nays—3

Hall	Schwartz
Patman	

#### Absent—Excused

Bridges	Wilson
Connally	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the final passage of the bill.

#### Executive Session

On motion of Senator Christie and by unanimous consent the Senate agreed to hold an Executive Session at 11:30 o'clock a.m. today (he having given Notice on yesterday).

Accordingly, the President Pro Tempore directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations:

To be a Member of the Texas State Historical Survey Committee: For a six-year term to expire January 1, 1977: Dan Lester, Jefferson, Marion County.

To be a Member of the Board of Directors of the Lavaca-Navidad River Authority: For a term to expire May 1, 1975: Carl Walter Swenson, Ganado, Jackson County.

To be a Member of the John F. Kennedy Memorial Commission: For a two-year term to expire January 31, 1971: Thomas J. (Tommy) Murphy, Dallas, Dallas County.

To be a Member of the Board of Health: For a six-year term to expire June 8, 1975: Jess Wayne West, Plainview, Hale County; Dr. John Marvin Smith, Jr. San Antonio, Bexar Coun-

ty; Dr. Mickie G. Holcomb, El Paso, El Paso County. For a term to expire June 8, 1971: Dr. Charles Max Cole, Dallas, Dallas County.

To be a Member of the Texas Water Development Board: For a term to expire December 31, 1975: Carl Illig, Houston, Harris County.

To be a Member of the Texas Private Employment Agency Regulatory Board: For a two-year term to expire January 31, 1971: Vard Langdon Miller, Ft. Worth, Tarrant County; Mrs. Carrie Lou Brandon, Dallas, Dallas County; Miss Jacqueline Virginia Johnson, Dallas, Dallas County. For a four-year term to expire January 31, 1973: Comer Leon Slaton, Ft. Worth, Tarrant County; Victor L. Koenig, Houston, Harris County. For a six-year term to expire January 31, 1975: David M. Lowe, Houston, Harris County; Berlin Vance, Amarillo, Potter County; Joe Earl Lassiter, Abilene, Taylor County.

To be a Member of the Board of Regents of East Texas State University: For a six-year term to expire February 15, 1977: E. G. Pharr, Lubbock, Lubbock County. For a six-year term to expire February 15, 1977: Leon Jackson (Jack) Coker, Jr., Texarkana, Bowie County. For a two-year term to expire February 15, 1971: Leon Jackson (Jack) Coker, Jr., Texarkana, Bowie County. For a six-year term to expire February 15, 1977: Thomas Brazelton Steely, Paris, Lamar County. For a two-year term to expire February 15, 1971: Thomas Brazelton Steely, Paris, Lamar County. For a six-year term to expire February 15, 1975: Raymond Middleton Holliday, Houston, Harris County; Houston Harriman Harte, San Antonio, Bexar County; Joseph Zeppa, Tyler, Smith County. For a four-year term to expire February 15, 1973: Joel Thomas Williams, Jr., Dallas, Dallas County; William Garland Button, Dallas, Dallas County. For a two-year term to expire February 15, 1971: Luther Preston Johnston, Lubbock, Lubbock County.

To be a Member of the State Board of Registration for Public Surveyors: For a six-year term to expire September 6, 1975: Clarence Joseph Montgomery, Houston, Harris County; Kirby Hillin, Dallas, Dallas County. For a six-year term to expire Sep-

tember 6, 1978: Oliver (Chick) R. McElya, Dallas, Dallas County.

To be a Member of the Board of Directors of Texas A&I University: For a six-year term to expire August 31, 1975: Laurence A. McNeil, Corpus Christi, Nueces County; Mrs. Mary Lewis Kleberg, Kingsville, Kleberg County; Dr. Hesiquio Rodriguez, Harlingen, Cameron County.

To be a Member of the Texas State Board of Examiners of Psychologists: For a two-year term to expire August 31, 1971: Alvin John North, Ph.D., Dallas, Dallas County; Wayne S. Gill, Ph.D., San Antonio, Bexar County; John I. Wheeler, Jr., Ph.D., Houston, Harris County; George H. Kramer, Jr., Ph.D., Corpus Christi, Nueces County.

To be a Member of the Teachers' Professional Practices Commission: For a two-year term to expire August 31, 1972: C. J. Cartwright, Ft. Worth, Tarrant County; Mrs. Newell Ann Burke, Freeport, Brazoria County; Mrs. Mary Elizabeth Hinds, Plainview, Hale County; Mrs. Velma Ruth Bedford, Dallas, Dallas County; Mrs. Alyce Marie Hamilton, Kilgore, Gregg County. For a two-year term to expire August 31, 1971: Mrs. Christine Higginbotham, Houston, Harris County; Mrs. Doris Jewell Harris, Abilene, Taylor County; Mrs. Marjorie Jewel Bays, Mesquite, Dallas County; Mrs. Jacqueline Bramwell Brown, El Paso, El Paso County; Joseph Jones Pearce, Richardson, Dallas County; Dr. John Woolford McFarland, El Paso, El Paso County; Mrs. Aida L. Garza, Laredo, Webb County; Stephen Albert Fey, Beeville, Bee County; Claude A. Hearn, Jr., Randolph Air Force Base, Bexar County; Mrs. Naomi Olivia Press, McKinney, Collin County.

To be Branch Pilot for the Ports of Galveston and Texas City: For a four-year term to expire April 29, 1975: Capt. Russell Bryant, Texas City, Galveston County. For a four-year term to expire April 1, 1975: Capt. Ereal H. Goodwin, Galveston, Galveston County; Capt. Albert F. Schurig, Texas City, Galveston County; Capt. Harry L. Coker, Jr., Texas City, Galveston County.

To be a Member of the Veterans Affairs Commission: For a six-year term to expire December 31, 1975:



Juston Monroe Morrow, Rotan, Fisher County.

To be a Member of the Texas State Historical Survey Committee: For a six-year term to expire January 1, 1977: John C. Caldwell, Albany, Shackelford County.

To be a Member of the Advisory Council for Technical-Vocational Education in Texas: For a term to expire August 31, 1975: Mrs. Gwendolyn M. Foster, Dallas, Dallas County; Dr. Roy W. Dugger, Waco, McLennan County; Dr. L. M. Morton, Killeen, Bell County; E. D. Redding, Houston, Harris County; S. P. Cowan, Rio Grande City, Starr County; John R. Guemple, Austin, Travis County; W. H. (Harrell) Townsend, Austin, Travis County; Vernon McGee, Austin, Travis County; Frank D. Clarke, Dallas, Dallas County. For a term to expire August 31, 1973: Romeo S. Escobar, Pharr, Hidalgo County; John L. Cockrill, Dallas, Dallas County; Marcos Antonio Vann, San Antonio, Bexar County; Dewey M. Cox, Orange, Orange County. For a term to expire August 31, 1971: Roff W. Hardy, Abilene, Taylor County; Dr. Richard D. Strahan, Baytown, Harris County; William L. Jones, Jr., Odessa, Ector County; Mrs. Frank J. Robinson, Palestine, Anderson County; Ellwood E. Collins, Texarkana, Bowie County; Dr. Michael DeBakey, Houston, Harris County; W. T. Crouch, Arlington, Tarrant County; Mrs. Winifred Sherman, Hawkins, Wood County; Joel Chambers, El Paso, El Paso County; Roy B. Davis, Lubbock, Lubbock County.

To be a Member of the State Highway Commission: For a six-year term to expire February 15, 1977: Charles E. Simons, Dallas, Dallas County.

To be a Member of the Board of Regents of the State Senior Colleges: For a six-year term to expire January 10, 1977: Mrs. Edward A. (Anne) Clark, Austin, Travis County.

#### In Legislative Session

The President Pro Tempore called the Senate to order as In Legislative Session at 12:10 o'clock p.m.

#### Senate Bill 174 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 174, A bill to be entitled "An Act to amend the governing instruments of private foundations and non-exempt split-interest trusts to require certain distributions, prohibit certain self-dealing, prohibit excess business holdings, describe authorized investments, and prohibit certain expenditures; enacting other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend Senate Bill No. 174, Section 1, by deleting the "s" from the word "Amendments" on line one of said Section so that said word is "Amendment."

The amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Record of Vote

Senator Schwartz asked to be recorded as "Present and Not Voting" on the passage of the bill to engrossment.

#### Senate Bill 174 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 174 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Christie
Bates	Creighton
Beckworth	Grover
Bernal	Hall
Blanchard	Harrington
Brooks	Harris

Herring	Mauzy
Hightower	McKool
Jordan	Moore
Kennard	Patman
Kothmann	Ratliff
Sherman	Watson
Snelson	Word
Wallace	

**Present—Not Voting**

Schwartz

**Absent—Excused**

Bridges	Wilson
Connally	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Christie	Moore
Creighton	Ratliff
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

**Nays—1**

Brooks

**Present—Not Voting**

Patman	Schwartz
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**Absent—Excused**

Bridges	Wilson
Connally	

**Senate Bill 176 on Second Reading**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 176, A bill to be entitled "An Act amending the Texas Non-Profit Corporation Act to amend the articles of incorporation of private

foundations to require certain distributions, prohibit certain self-dealing, prohibit excess business holdings, describe authorized investments, and prohibit certain expenditures; enacting other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following Committee Amendment to the bill:

Amend the quoted paragraph A in Section 1 of Senate Bill 176 by striking out the word "Subsection" in the last sentence of said paragraph A and substituting therefor the word "Section."

The Committee Amendment was read and was adopted.

On motion of Senator Herring, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Record of Vote**

Senator Schwartz asked to be recorded as "Present and Not Voting" on the passage of the bill to engrossment.

**Senate Bill 176 on Third Reading**

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 176 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Christie	Moore
Creighton	Ratliff
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

## Nays—1

Brooks

Present—Not Voting

Patman                      Schwartz

Absent—Excused

Bridges                      Wilson  
Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Christie	Moore
Creighton	Ratliff
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

## Nays—1

Brooks

Present—Not Voting

Patman                      Schwartz

Absent—Excused

Bridges                      Wilson  
Connally

## Message From the House

Hall of the House of Representatives  
Austin, Texas,  
April 7, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 106, Recalling House Bill No. 106 from the office of the Governor.

H. C. R. No. 108, In memory of Albert N. Jackson.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

Committee Substitute  
Senate Bill 160 on Second Reading

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 160, A bill to be entitled "An Act relating to the right, power, and authority of the Coordinating Board, Texas College and University System to contract with the Texas College of Osteopathic Medicine to provide for the education of certain medical students; and declaring an emergency."

The bill was read second time and passed to engrossment.

Committee Substitute  
Senate Bill 160 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 160 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

Absent—Excused

Bridges                      Wilson  
Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Concurrent Resolution 8  
on Second Reading**

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 8, Authorizing and directing the Interagency Natural Resources Council to provide the mechanism to promote interagency cooperation and coordination with regard to land use, pollution control and other problems in the Coastal Zone; working with the appropriate agencies, to delineate the roles and responsibilities of the State agencies concerned with the protection, conservation, and development of the State's coastal resources; to work with the State agencies in solution of certain urgent problems adversely affecting those resources; and to take certain other actions.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Concurrent Resolution 9  
on Second Reading**

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 9, Authorizing and directing the Interagency Natural Resources Council in its Coastal Resources Management Program to conduct certain important environmental, legal and economic investigations relating to the protection, conservation and development of Texas' coastal resources and the control environment.

The resolution was read.

Senator Schwartz offered the following amendment to the resolution:

Amend S. C. R. No. 9 by adding the words "and environmental" between the words "pollution" and "problems" on line 36 of the printed resolution.

The amendment was read and was adopted.

Senator Schwartz offered the following amendment to the resolution:

Amend S. C. R. No. 9 by adding the words "and other man-made additions to our Coastal Zone" after the word "measures" on line 40 of the printed resolution.

The amendment was read and was adopted.

Senator Schwartz offered the following amendment to the resolution:

Amend S. C. R. No. 9 by adding the following language to precede the present wording on line 3 of page 2 of the printed resolution:

"The Tektite program of the Marine Biomedical Institute of the University of Texas Medical Branch at Galveston, and the many other multiple facets of the work of that Institute and all other"

The amendment was read and was adopted.

The resolution as amended was then adopted.

**House Concurrent Resolution 106  
on Second Reading**

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 106, Recalling House Bill No. 106 from the office of the Governor.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Bill 443 on Second Reading**

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 443, A bill to be entitled "An Act relating to the creation, administration, powers, duties, maintenance, and financing of Seminole Hospital District of Gaines County, Texas, by authority of Article IX, Section 9, of the Texas Constitution; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 443 on Third Reading**

Senator Blanchard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 443 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

**Absent—Excused**

Bridges	Wilson
Connally	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—28**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

**Absent—Excused**

Bridges	Wilson
Connally	

**Senate Bill 261 on Second Reading**

On motion of Senator Mauzy and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 261, A bill to be entitled "An Act amending employers' liability and workmen's compensation laws of the state; amending Section 8a, of Article 8306, Revised Civil Statutes of Texas, 1925, as amended, to provide that in the case of death where guardian has not been appointed for a beneficiary who is disqualified for taking because of lunacy, infancy or other disqualifying cause, payments may be made directly to the person having custody of the person of such beneficiary, he shall be entitled to receive and receipt for such payments unless or until the association is notified that a guardian has been appointed in which event payments shall thereafter be made to such guardian; etc.; and declaring an emergency."

The bill was read second time.

Senator Mauzy offered the following Committee Amendment to the bill:

Amend Senate Bill 261 by striking all of Section 1 therefrom and substituting in lieu thereof the following:

Section 1. Section 8a of Article 8306, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

Section 8a. The compensation provided for in the foregoing section of this law shall be for the sole and exclusive benefit of the surviving husband who has not for good cause and for a period of three years prior thereto, abandoned his wife at the time of the injury, and of the wife who has not, at the time of the injury without good cause and for a period of three years prior thereto, abandoned her husband, and of the minor children, parents and stepmother, without regard to the question of dependency, dependent grandparents, dependent children, dependent grandchildren and dependent brothers and sisters of the deceased employee; and the amount recovered thereunder shall not be liable for the debts of the deceased nor the debts of the beneficiary or beneficiaries and shall be distributed among the beneficiaries as may be entitled to the same as

hereinbefore provided, according to the laws of descent and distribution of this State; provided, the right in such beneficiary or beneficiaries to recover compensation for death be determined by the facts that exist at the date of the death of the deceased and that said right be a complete, absolute and vested one. Such compensation shall not pass to the Estate of the deceased to be administered upon but shall be paid directly to said beneficiaries when the same are capable of taking under the laws of this State, or to their guardian in case of lunacy, infancy or other disqualifying causes except payments may be made directly to the person having custody of the person of such beneficiary who shall be entitled to receive and receipt for such payments unless or until the association is notified that a guardian has been appointed in which event payment shall thereafter be made to such guardian. The compensation provided for in this law shall be paid weekly to the beneficiaries herein specified, subject to the provisions of this law."

The Committee Amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 261 on Third Reading

Senator Mauzy moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 261 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Harrington
Bates	Harris
Beckworth	Herring
Bernal	Hightower
Blanchard	Jordan
Brooks	Kennard
Christie	Kothmann
Creighton	Mauzy
Grover	McKool
Hall	Moore

Patman	Snelson
Ratliff	Wallace
Schwartz	Watson
Sherman	Word

Absent—Excused

Bridges	Wilson
Connally	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Leave of Absence

Senator Moore was granted leave of absence for the remainder of today on account of important business on motion of Senator Aikin.

#### Senate Bill 364 on Second Reading

Senator Mauzy asked unanimous consent to suspend the regular order of business and take up S. B. No. 364 for consideration at this time.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up S. B. No. 364 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Bates	Hightower
Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Brooks	Mauzy
Christie	McKool
Hall	Schwartz
Harrington	Sherman
Harris	Wallace
Herring	Word

Nays—7

Aikin	Ratliff
Creighton	Snelson
Grover	Watson
Patman	

Absent—Excused

Bridges	Moore
Connally	Wilson

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 364, A bill to be entitled "An Act amending Article 8309c, Workmen's Compensation for employment of counties; providing for the application of Sections 1 and 4, of Article 8306, Revised Civil Statutes of Texas, 1925, as amended, which provides for the waiver of common law defenses of contributory negligence, fellow servant doctrine and assigned risk and further providing for the right of employees when employer is not a subscriber to sue the employer for common law negligence; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Motion to Place  
Senate Bill 364 on Third Reading**

Senator Mauzy moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 36 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

**Yeas—19**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Brooks	McKool
Christie	Schwartz
Hall	Sherman
Harrington	Wallace
Harris	Word
Hightower	

**Nays—8**

Blanchard	Patman
Creighton	Ratliff
Grover	Snelson
Herring	Watson

**Absent—Excused**

Bridges	Moore
Connally	Wilson

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
April 7, 1971.  
Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 107, In honor of Mrs. Robby Koons Mitchell, 1970-1971 Poet Laureate of Texas.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Motion to Place  
Senate Bill 345 on Second Reading**

Senator Mauzy asked unanimous consent to suspend the regular order of business and take up S. B. No. 345 for consideration at this time.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up S. B. No. 345 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

**Yeas—17**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Brooks	McKool
Christie	Schwartz
Hall	Wallace
Harrington	Word
Hightower	

**Nays—10**

Blanchard	Patman
Creighton	Ratliff
Grover	Sherman
Harris	Snelson
Herring	Watson

**Absent—Excused**

Bridges	Moore
Connally	Wilson

**Senate Bill 264 on Second Reading**

Senator Jordan asked unanimous consent to suspend the regular order of business and take up S. B. No. 264 for consideration at this time.

There was objection.

Senator Jordan then moved to suspend the regular order of business

and take up S. B. No. 264 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—21

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Brooks	McKool
Christie	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Word
Hightower	

## Nays—6

Blanchard	Patman
Creighton	Ratliff
Grover	Watson

## Absent—Excused

Bridges	Moore
Connally	Wilson

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 264, A bill to be entitled "An Act amending Article 8309c-1, Workmen's Compensation for employees of certain drainage districts; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Motion to Place  
Senate Bill 264 on Third Reading**

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 264 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

## Yeas—21

Aikin	Hall
Bates	Harrington
Beckworth	Harris
Bernal	Herring
Brooks	Hightower
Christie	Jordan

Kennard	Sherman
Kothmann	Snelson
Mauzy	Wallace
McKool	Word
Schwartz	

## Nays—6

Blanchard	Patman
Creighton	Ratliff
Grover	Watson

## Absent—Excused

Bridges	Moore
Connally	Wilson

**Senate Bill 265 on Second Reading**

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 265, A bill to be entitled "An Act amending the employers' liability and workmen's compensation laws of this state; amending Section 20, of Article 8306, Revised Civil Statutes of Texas, 1925, to include injuries caused as the result of repetitious mental or physical traumatic activities extended over a period of time and further providing for the coverage of all Occupational Diseases that arise out of and in the course of employment which cause damage or harm to the physical structure of the body; specifically repealing Sections 25, 26 and 27 of Article 8306, Revised Civil Statutes of Texas; providing for a savings clause; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Senate Bill 265 by striking all of Section 1 and substituting in lieu thereof the following:

Section 1. Section 20, Article 8306, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"Section 20. Wherever the terms 'Injury' or 'Personal Injury' are used in the Workmen's Compensation Laws of this state, such terms shall be construed to mean damage or harm to the physical structure of the body



and such diseases or infections as naturally result therefrom. The terms 'Injury' and 'Personal Injury' shall also be construed to mean and include 'Occupational Diseases,' as hereinafter defined. Whenever the term 'Occupational Disease' is used in the Workmen's Compensation Laws of this state, such terms shall be construed to mean any disease arising out of and in the course of employment which causes damage or harm to the physical structure of the body and such other diseases or infections as naturally result therefrom. An 'Occupational Disease' shall also include damage or harm to the physical structure of the body occurring as the result of repetitious mental or physical traumatic activities extending over a period of time and arising in the course of employment; provided, that the date of the cumulative injury shall be the date disability was caused thereby. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where such diseases follow as an incident to an Occupational Disease or Injury as defined in this section."

The Committee Amendment was read and was adopted.

On motion of Senator Jordan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 265 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 265 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Hall
Bates	Harrington
Beckworth	Harris
Bernal	Herring
Brooks	Hightower
Christie	Jordan
Creighton	Kennard
Grover	Kothmann

Mauzy	Sherman
McKool	Snelson
Patman	Wallace
Ratliff	Watson
Schwartz	Word

#### Nays—1

Blanchard

#### Absent—Excused

Bridges	Moore
Connally	Wilson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 730 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 730, A bill to be entitled "An Act amending Article 5.76(c) of the Texas Insurance Code, as amended, making the Texas Workmen's Compensation Assigned Risk Pool responsible for all policies and claims in existence for any insurance company which has been declared insolvent by the Courts of this State or any other State in the same manner as if said policies had been written by the servicing company of this agency; providing that this Act shall not affect any rights which have vested or accrued prior to the effective date hereof, and retaining prior laws in effect, insofar as injuries sustained prior to the effective date hereof; providing for a savings clause; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 730 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 730 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

## Absent—Excused

Bridges	Moore
Connally	Wilson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

## Absent—Excused

Bridges	Moore
Connally	Wilson

## Leave of Absence

Senator Ratliff was granted leave of absence for the remainder of today on account of important business on motion of Senator Blanchard.

## Senate Bill 798 on Second Reading

Senator Jordan asked unanimous consent to suspend the regular order of business and take up S. B. No. 798 for consideration at this time.

There was objection.

Senator Jordan then moved to suspend the regular order of business and take up S. B. No. 798 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—18

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Brooks	Mauzy
Christie	McKool
Hall	Schwartz
Harrington	Wallace
Harris	Word

## Nays—8

Blanchard	Patman
Creighton	Sherman
Grover	Snelson
Herring	Watson

## Absent—Excused

Bridges	Ratliff
Connally	Wilson
Moore	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

**S. B. No. 798, A bill to be entitled "An Act relating to the extension of workmen's compensation insurance to employees of hospital districts that have been or may be created by the Legislature in accordance with Section 9, Article IX, Constitution of the State of Texas; etc.; and declaring an emergency."**

The bill was read second time and was passed to engrossment.

## Record of Vote

Senator Grover asked to be recorded as voting "Nay" on the passage of bill to engrossment.

## Motion to Place

## Senate Bill 417 on Second Reading

Senator Brooks asked unanimous consent to suspend the regular order of business and take up S. B. No. 417 for consideration at this time.

There was objection.

Senator Brooks then moved to suspend the regular order of business

and take up S. B. No. 417 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Bates	Hightower
Beckworth	Jordan
Bernal	Kennard
Brooks	Kothmann
Christie	Mauzy
Hall	McKool
Harrington	Schwartz
Harris	Wallace

Nays—9

Aikin	Patman
Blanchard	Sherman
Creighton	Snelson
Grover	Watson
Herring	

Absent—Excused

Bridges	Ratliff
Connally	Wilson
Moore	Word

#### Co-Authors of Senate Resolution 932

On motion of Senator Patman and by unanimous consent, Senators Brooks, Sherman, Schwartz and Bernal will be shown as Co-author of S. R. No. 932.

#### Co-Author of Senate Bill 508

On motion of Senator Mauzy and by unanimous consent, Senator Snelson will be shown as Co-author of S. B. No. 508.

#### Memorial Resolutions

H. C. R. No. 108—Memorial resolution for Albert N. Jackson.

S. C. R. No. 72—By Senator Moore: Memorial resolution for Latham (Dolly) Boone, Jr.

S. R. No. 917—By Senator Watson: Memorial resolution for Mrs. Mary Virginia Archibald.

S. R. No. 918—By Senator Watson: Memorial resolution for Thomas F. Thrasher.

S. R. No. 919—By Senator Watson: Memorial resolution for Ben Nail.

S. R. No. 920—By Senator Watson: Memorial resolution for Kiefer Marshall, Sr.

S. R. No. 921—By Senator Watson: Memorial resolution for Wyatt Melvin Bell.

S. R. No. 924—By Senator Blanchard: Memorial resolution for Tim Brown.

S. R. No. 925—By Senators McKool, Mauzy, Hall and Harris: Memorial resolution for Albert N. Jackson (Amended).

S. R. No. 927—By Senator Snelson: Memorial resolution for Dr. John Franklin Howell.

S. R. No. 928—By Senator Snelson: Memorial resolution for Julius Drew Henderson.

S. R. No. 934—By Senator Bernal: Memorial resolution for Mrs. Mary Arbetter Scharlack.

#### Welcome and Congratulatory Resolutions

H. C. R. No. 105—Extending commendation to Central Parks Lions Club of San Antonio for outstanding service to San Antonio and State.

H. C. R. No. 107—In honor of Mrs. Robby Koons Mitchell, 1970-1971 Poet Laureate.

S. R. No. 914—By Senator Aikin: Extending welcome to Mr. and Mrs. Gene Roden and their children.

S. R. No. 915—By Senator Aikin: Extending welcome to the Honorable C. M. Kennedy of Texarkana.

S. R. No. 916—By Senator Watson: Extending welcome to Mr. and Mrs. Fred Simon, Jr.

S. R. No. 922—By Senator Watson: Extending good wishes to group of Waco citizens for a successful mission to Paris on behalf of American prisoners of war.

S. R. No. 923—By Senator Blanchard: Extending congratulations to Dr. W. C. Holden for his significant contributions in the field of Texas history.

S. R. No. 929—By Senator Watson: Extending welcome to John Brigham.

S. R. No. 930—By Senator Herring: Extending welcome to sponsor and classes from School for the Blind.

S. R. No. 931—By Senator McKool: Extending congratulations to Kelvin Bass.

S. R. No. 933—By Senator Blanchard: Expressing deep pride in the members of Cub Scout Pack 540, Den 3, of Lubbock, for the compassion and concern for a fellow Cub Scout in California.

S. R. No. 935—By Senator Watson:

Extending welcome to Bill Brigham and John Brigham.

S. R. No. 936—By Senator Watson: Extending welcome to Dean Morris Webb.

S. R. No. 937—By Senator Watson: Extending welcome to Malcolm Lauderdale.

#### Adjournment

On motion of Senator Aikin the Senate at 1:10 o'clock p.m. adjourned until 2:30 o'clock p.m. Monday, April 12, 1971.

In Memory of  
**James M. Dellinger**

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Senator Herring offered the following resolution:

(Senate Concurrent Resolution 73)

Whereas, On Sunday, March 28, 1971, a tragic automobile accident took the life of James M. Dellinger, a beloved and distinguished Texan; and

Whereas, Mr. Dellinger was born 65 years ago in Taylor, Texas, the son of James and Grace Dellinger; his father was the former Chief of Police of Taylor, and was affectionately known throughout the community as "Mr. Jim"; and

Whereas, His Mother, the former Grace Murphy was a member of an old and respected Taylor family; it was through their donation of land to the City of Taylor that Murphy Park was established; and

Whereas, Mr. Dellinger was a graduate of Taylor High School, and Texas A and M University; he was employed by Brown and Root, Inc., for 22 years prior to leaving that firm to establish his own company, the J. M. Dellinger, Inc., in 1946; last January, he re-organized his firm and it was then called Dellinger and Mahan, Inc.; and

Whereas, His interest in and concern for his community and his state led to many years of public service: served for six years on the State Parks and Wildlife Commission; he was Director of the Corpus Christi Chamber of Commerce; he was president of the Texas Chapter of Heavy Highway Contractors; he was elected a delegate to the 1964 Democratic National Convention; and he served as a member of the Nueces County Park Board; in addition to these offices, he served as a board member and president of the Associated General Contractors of America; and

Whereas, James M. Dellinger is survived by his wife Violet, and a son, James M. Dellinger, Jr., of Corpus Christi; three sisters, Mrs. Joe Hannah Forson, Mrs. Abbie O'Leary and Mrs. Grace Garry of Taylor; and four grandsons; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature, the House of Representatives concurring, Recognize the great loss to this State by the death of James M. Dellinger; and extend deepest sympathy to his family; and be it further

Resolved, That copies of this Resolution be prepared for his family as an expression of our respect for a dedicated and esteemed Texan.

HERRING  
BRIDGES

The resolution was read and adopted by a rising vote of the Senate.